

David J. Smith
106 St. Jerome Ave.
Holyoke, Mass. 01040
(413) 533- 4619

vs.

Westfield Vocational Technical High School
33 Smith Ave.
Westfield, Mass. 01085
(413) 572- 6533

Division Manager
U.S. District Court
Springfield, Mass. 01103

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT
DISTRICT OF MASS.
APR 27 A 11:26
CA 05-30099-MAP

Re; Formal Written Complaint

To whom it may Concern,

I am writing to request/ complain to the U.S. District court that above named defendant has committed acts which were/ are against my civil rights. These actions are in violation of M.G.L. Chapter 151B, Section 4, Paragraph 1, and Title VII of the 1964 Civil rights Act as amended. Beginning in September 2002 and continuing until most recently March 24th, 2003. Westfield Voc Tech High School discriminated against me by singling me out and subjecting me to unequal terms and conditions of employment based on my race and color. (Black)

There were several reasons why I believe I was discriminated against, however I shall mention the particulars in which have had the most lasting effects.

- 1) All other paraprofessionals had specific duties to perform each day, these included filling out progress reports for the students. When I inquired as to why I was not participating, I was told by Vicky Peck (teacher) that I was not required to do them. This gave me the impression that I was to focus solely on the students, which I did from then on. Upon my hire I was told by Robert Thompson, principal of Granville Public schools, that if I were to have any problems I could speak to a Mr. Stanley Warren, who was the Special Education Team Leader at Westfield Voc Tech High School. After encountering several students, which informed me of derogatory comments being made by the other paraprofessionals about myself, I approached Mr. Warren who literally threw his hands in the air and said, "I am not your supervisor." This made me feel singled out and alone in my position.
- 2) In September of 2002 I met for the first time with Ms. Dmitra Cook who also had a position in the Special Education Dept. of the Westfield Voc Tech High School. She informed me of some attendance issues, and said if I could not make it in to

JUDGMENT FOR DEFENDANT(S)

DOCKET NUMBER

200417SC000682

Trial Court of Massachusetts
District Court Department
Small Claims SessionCASE NAME **DAVID J. SMITH vs. ROBERT THOMPSON AS OFFICER OF OR AGENT FOR GRANVILLE SCHOOL DISTRICT**

PLAINTIFF(S) WHO ARE PARTIES TO THIS JUDGMENT

P01 DAVID J. SMITH

CURRENT COURT

Holyoke District Court
20 Court Plaza
Holyoke, MA 01040-5075
(413) 538-9710

DEFENDANT(S) WHO ARE PARTIES TO THIS JUDGMENT

D01 ROBERT THOMPSON as officer of or agent for GRANVILLE SCHOOL

ROOM/SESSION

←←←←←
WHEN
YOU
MUST
APPEAR
←←←←←

PARTY TO WHOM THIS COPY OF JUDGMENT IS ISSUED

P01 DAVID J. SMITH
106 ST. JEROME AVENUE
HOLYOKE, MA 01040

ATTORNEY FOR PARTY TO WHOM THIS COPY OF JUDGMENT IS ISSUED

JUDGMENT FOR DEFENDANT(S)

On the above claim, after trial by a magistrate, the Court has entered JUDGMENT IN FAVOR OF THE DEFENDANT(s) listed above. This means that the defendant(s) does not have to pay the plaintiff(s) any part of the claim or costs in this claim.

The plaintiff(s) does not have any right of appeal from this judgment. Uniform Small Claims Rule 8 provides that for good reason a plaintiff may file a motion within one year of this judgment, with notice to the defendant(s), requesting the Court to vacate or amend this judgment.

DATE JUDGMENT ENTERED
04/05/2005

CLERK-MAGISTRATE/ASST. CLERK

X

3/14/05


David J. Smith
106 St. Jerome Ave.
Holyoke, Mass. 01040

(413) 533-4619

VS.

Westfield Voc Tech High School
33 Smith Ave.
Westfield, MA. 01085

I am writing to request/complain to the court(s) that above named defendant has committed actions which were/are against my civil rights. I have lost considerable wages, as well as, further educational and career opportunities ~~due to~~ to these actions. I have enclosed an original complaint with the particulars describing discriminatory acts. (please see complaint) I have sought other venues w/no satisfaction, I now have come to the process of filing a private lawsuit in Federal Court. as instructed by the E.E.O.C. Made under the penalties of perjury.


David J. Smith

★ DISCRIMINATION COMPLAINT ★
MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

| | |
|-----------|-------------------------|
| FEPA NO.: | FILING DATE: |
| EEOC NO.: | VIOLATION DATE: 3-24-03 |

NAME OF AGGREIVED PERSON OR ORGANIZATION:

David Smith
106 Jerome Ave
Holyoke, MA 01040

TELEPHONE NUMBERS:
HOME: (413) 536-1742
WORK:

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY OR STATE/LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME:

Westfield Vocational/Technical High School
33 Smith Avenue
Westfield, Ma 01085

TELEPHONE NO.: (413) 572-6533
NO. OF EMPLOYEES: 25+

CAUSE OF DISCRIMINATION BASED ON: Race & Color

Beginning in September 2002 and continuing until most recently March 24, 2003, Westfield Vocational Technical High School discriminated against me by singling me out and subjecting me to unequal terms and conditions of employment based on my race & Color (Black). Respondent's conduct is in violation of M.G.L. Chapter 151B, Section 4, Paragraph 1, and Title VII of the 1964 Civil Rights Act as amended.

THE PARTICULARS ARE:

1. I was hired at Westfield Vocational/Technical High School on August 29, 2002 as a paraprofessional. My work performance has always been satisfactory.
2. In or around September 2002, I received an oral warning from Special Ed Director Ms. Cook regarding my tardiness. After this oral warning I improved my attendance and did not come into work late again.
3. I was never informed of the specific duties that I was to perform. Over time it became clear that my duties were different than the other paraprofessionals. On or around the end of November 2002, I saw other paraprofessionals filling out progress report evaluations of the students. Since the other paraprofessionals were doing this I asked a teacher, Ms. Vicky Peck (Caucasian) how I could help. She told me to not worry about it and they would handle it; this gave me the impression that I was to focus on the students. I seemed to be the only paraprofessional that was unclear on the job duties I was to perform.
4. On or about late November, early December 2002 more than three different students approached me about a guidance counselor Henry Bannish, who they said had been questioning female students about my conduct. The guidance counselor asked these students whether or not I had been hitting on some of the female students and asking them out. The guidance counselor never questioned students about other paraprofessionals (all Caucasian).
5. Throughout my employment other paraprofessionals received notices regarding grants and workshops regarding opportunities to further education with a possibility of financial assistance. In one instance I asked another paraprofessional, Gail Brannan (Caucasian) where she got a particular notice on one of these workshops. She told me that she


received them in her mailbox. I was the only paraprofessional that did not receive these grant notices in my mailbox.

6. On March 18, 2003 I received an evaluation from two teachers. These evaluations brought to my attention some performance issues that I was not aware of up until this point.
7. My evaluation stated that my attendance was fair, however, in the fall after my discussion with Ms. Cook I never came in late again; this evaluation never made reference to my improvement.
8. My evaluation also stated that I would sit and read a book rather than helping students. This is partially untrue. I would read, but only when the students were listening to a lecture given by their teacher. I was not the only paraprofessional that would read at this time of the day; Mr. Dana Parenzo (Caucasian) always read newspapers and he was never reprimanded for this.
9. On March 24, 2003, one week after my first evaluation, Mr. Thompson (supervisor) told me that I was to resign from my job or I would be terminated. Mr. Thompson provided me with my resignation letter; it was already written out for me, and I just signed it.
10. Westfield Vocational/Technical High School discriminated against me by singling me out and subjecting me to unequal terms and conditions of employment and eventually forced me to resign on the basis of my race and color (Black).

I also want this charge filed with the EEOC: XX.

I WILL ADVISE THE AGENCIES IF I CHANGE MY ADDRESS OR TELEPHONE NUMBER AND I WILL COOPERATE FULLY WITH THEM IN THE PROCESSING OF MY CHARGE IN ACCORDANCE WITH THEIR PROCEDURES.

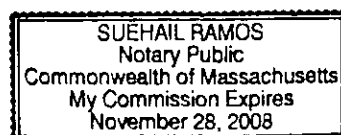
I SWEAR OR AFFIRM THAT I HAVE READ THIS COMPLAINT AND THAT IT IS TRUE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.


David Smith

SWORN TO AND SUBSCRIBED BEFORE ME THIS 23 DAY OF May, 2003.


NOTARY PUBLIC

My Commission Expires: 11/28/08.



JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

| | |
|--|---|
| I. (a) PLAINTIFFS <u>David S. Smith</u> <u>1605 Jerome Ave</u> <u>Holyoke, Mass. 01880</u> | DEFENDANTS <u>Westfield Voc-Tech High School</u> <u>33 Smith Ave.</u> <u>Westfield, MA. 01883</u> |
| (b) County of Residence of First Listed Plaintiff (EXCEPT IN U.S. PLAINTIFF CASES) | County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) |
| (c) Attorney's (Firm Name, Address, and Telephone Number) | Attorneys (If Known) |

| | | | | | |
|--|---|--|--|--|--|
| II. BASIS OF JURISDICTION (Place an "X" in One Box Only) | III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant) | | | | |
| <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III) | <table style="width: 100%;"> <tr> <td style="width: 50%;"> Citizen of This State <input checked="" type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 </td> <td style="width: 50%;"> DEF <input type="checkbox"/> 1 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 2 Foreign Nation <input type="checkbox"/> 3 </td> </tr> <tr> <td style="width: 50%;"> PTF <input type="checkbox"/> 4 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 </td> <td style="width: 50%;"> DEF <input type="checkbox"/> 4 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 </td> </tr> </table> | Citizen of This State <input checked="" type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 | DEF <input type="checkbox"/> 1 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 2 Foreign Nation <input type="checkbox"/> 3 | PTF <input type="checkbox"/> 4 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 | DEF <input type="checkbox"/> 4 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 |
| Citizen of This State <input checked="" type="checkbox"/> 1 Citizen of Another State <input type="checkbox"/> 2 Citizen or Subject of a Foreign Country <input type="checkbox"/> 3 | DEF <input type="checkbox"/> 1 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 2 Foreign Nation <input type="checkbox"/> 3 | | | | |
| PTF <input type="checkbox"/> 4 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 | DEF <input type="checkbox"/> 4 Incorporated or Principal Place of Business in This State Incorporated and Principal Place of Business in Another State <input type="checkbox"/> 5 Foreign Nation <input type="checkbox"/> 6 | | | | |

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| IV. NATURE OF SUIT (Place an "X" in One Box Only) | | | | | | |
| CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise | TORTS <table style="width: 100%;"> <tr> <td style="width: 50%;"> PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury </td> <td style="width: 50%;"> PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability </td> </tr> </table> | PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury | PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other | BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark | OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge: 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes |
| PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury | PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | | | | | |
| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input checked="" type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights | PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition | LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act | SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609 | | |

| | | | | | | |
|---|---|--|---|--|---|--|
| V. ORIGIN (Place an "X" in One Box Only) | | | | | | |
| <input type="checkbox"/> 1 Original Proceeding | <input type="checkbox"/> 2 Removed from State Court | <input type="checkbox"/> 3 Remanded from Appellate Court | <input type="checkbox"/> 4 Reinstated or Reopened | <input type="checkbox"/> 5 Transferred from another district (specify) | <input type="checkbox"/> 6 Multidistrict Litigation | <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment |

| | |
|----------------------------|--|
| VI. CAUSE OF ACTION | Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <u>Civil Rights GLC 12.5 114</u> Brief description of cause: <u>Race/Ethnicity</u> |
|----------------------------|--|

| | | |
|-------------------------------------|--|---|
| VII. REQUESTED IN COMPLAINT: | <input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 | DEMAND \$ CHECK YES only if demanded in complaint JURY DEMAND: <input type="checkbox"/> Yes <input type="checkbox"/> No |
|-------------------------------------|--|---|

| | |
|-------------------------------------|---|
| VIII. RELATED CASE(S) IF ANY | (See instructions): JUDGE _____ DOCKET NUMBER _____ |
|-------------------------------------|---|

| | |
|------------|---------------------------------------|
| DATE _____ | SIGNATURE OF ATTORNEY OF RECORD _____ |
|------------|---------------------------------------|

FOR OFFICE USE ONLY

| | | | | |
|-----------------|--------------|--------------------|-------------|------------------|
| RECEIPT # _____ | AMOUNT _____ | APPLYING IFP _____ | JUDGE _____ | MAG. JUDGE _____ |
|-----------------|--------------|--------------------|-------------|------------------|

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS1. Title of case (name of first party on each side only) David J. Smith vs. Westfield Voc-Tech School

2. Category in which the case belongs based upon the numbered nature of suit code listed on the civil cover sheet. (See local rule 40.1(a)(1)).

 I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT. II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950.*Also complete AO 120 or AO 121
for patent, trademark or copyright cases III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 371, 380, 385, 450, 891. IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900. V. 150, 152, 153.

3. Title and number, if any, of related cases. (See local rule 40.1(g)). If more than one prior related case has been filed in this district please indicate the title and number of the first filed case in this court.

4. Has a prior action between the same parties and based on the same claim ever been filed in this court?

YES ☐NO ☒

5. Does the complaint in this case question the constitutionality of an act of congress affecting the public interest? (See 28 USC §2403)

YES ☒NO ☐

If so, is the U.S.A. or an officer, agent or employee of the U.S. a party?

YES ☐NO ☐

6. Is this case required to be heard and determined by a district court of three judges pursuant to title 28 USC §2284?

YES ☐NO ☐7. Do all of the parties in this action, excluding governmental agencies of the united states and the Commonwealth of Massachusetts ("governmental agencies"), residing in Massachusetts reside in the same division? - (See Local Rule 40.1(d)).YES ☐NO ☐A. If yes, in which division do all of the non-governmental parties reside?Eastern Division ☐Central Division ☐Western Division ☐

B. If no, in which division do the majority of the plaintiffs or the only parties, excluding governmental agencies, residing in Massachusetts reside?

Eastern Division ☐Central Division ☐Western Division ☐

8. If filing a Notice of Removal - are there any motions pending in the state court requiring the attention of this Court? (If yes, submit a separate sheet identifying the motions)

YES ☐NO ☐

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME David J. SmithADDRESS 106 St Jerome Ave. Holyoke, Mass. 01040TELEPHONE NO. (413) 533 4619